

REMARKS

Claims 1, 3-16, and 18-23 were pending with claims 1, 3, 4, 7, 8, 10-14, 16, 18, and 19 at issue. By this amendment, claims 1 and 13 are amended and claim 16 is canceled. Support for the amendments to claims 1 and 13 may be found in the specification and claims as originally filed. For example, support may be found at page 3, lines 13-14 and Figs. 1-2a. No new matter is added. As a result, claims 1, 3-15, and 18-23 remain pending with claims 1, 3, 4, 7, 8, 10-14, 18, and 19 at issue.

35 U.S.C. § 103 Rejections

The applicants respectfully traverse the rejection of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 as obvious over U.S. Patent No. 6,352,155 to Barber (“Barber”) in view of U.S. Patent No. 5,485,922 to Butcher (“Butcher”). To establish a *prima facie* case of obviousness, “the prior art reference (or references when combined) must teach or suggest all the claim limitations.” M.P.E.P. § 2143. Each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 recites a storage container comprising a first cover section, the first cover section “having an exterior surface comprising a recessed writing surface.” Emphasis added. Barber fails to disclose or suggest a first cover section having an exterior surface including a recessed writing surface.

Barber discloses a personal computer storage case including a housing 10 and a first side platform 40 and a second side platform 70. However, the first and second side platforms do not have a recessed writing surface. Rather, Barber teaches that the first and second side platforms 40, 70 include “a flat planar platform member 46.” Emphasis added, *see* Barber, col. 3, lines 40-45 and Figs. 3 and 4. Thus, Barber fails to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.

Butcher discloses a portable computer case including a main housing 20 and a lid 65 attached to the main housing 20. However, like the side platforms of Barber, the lid 65 of Butcher does not include a recessed writing surface of any sort. *See* Butcher, Fig. 1. Thus, Butcher fails to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.

Because Barber and Butcher both fail to disclose or suggest a cover section having an exterior surface comprising a recessed writing surface, as is recited by each of claims 1, 3, 4,

7, 8, 10-14, 18, and 19, none of claims 1, 3, 4, 7, 8, 10-14, 18, and 19 can be rendered obvious by any combination thereof. Thus, the applicants respectfully request withdrawal of the rejection of claims 1, 3, 4, 7, 8, 10-14, 18, and 19.

Additionally, there is no motivation to modify either Barber or Butcher to include a cover section having a recessed writing surface. Both Barber and Butcher teach a carrying case in which the case must be completely opened to access the computer inside the case. Because both cases must be open to access the computer, the exterior surface of the platforms 40, 70 of Barber and the lid 65 of Butcher are oriented away from a user. In other words, a user cannot access the exterior surface of either the platforms 40, 70 or the lid 65 when the carrying case is open. Thus, there is no motivation to modify the exterior surface of either the platforms 40, 70 or the lid 65 to include a recessed writing surface.

The recessed writing surface recited in claims 1, 3, 4, 7, 8, 10-14, 16, 18, and 19 restricts lateral movement of writing instruments and/or substrates placed on the recessed writing surface. This is especially useful when a user is using the storage container as a lap-top desk, for example, while sitting in a waiting area. Thus, the claimed storage container is an improvement over the cited art.

Conclusion

The applicants respectfully request entry of the foregoing amendments and reconsideration of claims 1, 3, 4, 7, 8, 10-14, 18, and 19. No fees are believed due. However, if there are any fees (or refunds) required, the Commissioner is directed to charge (or credit) Deposit Account No. 13-2855 of Marshall, Gerstein & Borun LLP.

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Respectfully submitted,

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